(1)

CLASS B

App F. IX—4

*Previous References.*

19 58
( )

41/A
File No. APD 41/A DFT 58.

Serial Nos.

Agr. Dept

*Later References.*

Green By

# MYSORE GOVERNMENT SECRETARIAT

*Serial Nos.*

**Part B for**

**SUBJECT**

Grant of lands ——
Avarappa — to Harijans

WD 04708—GPB—1,00,000—17-11-59.

Chief Sec.

Mysore Government Secretariat | File No. of 195 | [App. F. III 2

Serial No.

Sale:- Grant of land measuring 7A-2G out of RS No 25 Paragupra to Harijans for residential purpose

FNo 2947/Law
3658/58-DIOTV
Law III

APR 4/PLD 58

1) D No 9007/48-58 Pud for perusal. The Dy Comm Kanara and Dir Comm Belgaum propose grant of land to Harijans for residential purpose. The Cons of Forests has no objection for disforestment of the area. Hence an area of 7A-2G out of RS No 25, Paragupra may be ordered to be disforested. A draft G.O. is put up for approval.

29/58
Ex Pudhan
3988

2) For concurrence DS
Hemmady 4/9

2a)

F.No 2947/Law
Sec. III

3) It may kindly be clarified, if the word imparitible, in condition 1, is used to mean, not alienable or not to be parted with, or not to be partitioned. The intention with which the word 'new' in condition 7, is used, may also be clarified, to examine, if such a condition can be imposed

U.S. A.F)

BB
U.S. III Law
10/9/58

C-G-S-T

MYSORE GOVT SECRETARIAT
No .....
8 SEP 1958
KPR
LAW SECTION. 3

4) The clarification in connection with the word "imparitible" given by the hon D. is correct. Under this condition, the grantee is forbidden to part with the land i.e. he is not allowed to sell the land to others. If the lands once come under

Note.—Contn. Sheet

File No. APD 41 L24 D of 1958.

Mysore Government Secretariat

Serial No.

the "new" tenure, ~~if~~ they can be resumed by Govt when there are no heirs to the owner of lands. The file may now sent to R.D. for their cognizance reg ~~to~~ disforcolsment of the land.

Ags 19/9/58

5) The file need not have gone to the L.D. (Rev) may kindly approve the proposal in para 4 and confirm the interpretation in para 3.

Sd/ Puttu 13958

6) R.D, with reference to para (5)

Hrl 15/9 DS

RD

7) The proposal of the Div: Commr Belgaum as noted in para 1 ~~n.f.~~ may be agreed to and as regards interpretation in para 2 ~~n.f.~~ it may be stated that the word ~~non~~ 'impartible' in Condition no 1 of D.C's letter is used to mean, not to be partitioned & that of the word 'non' means inalienable. This Condition is necessary so that the grantee may not part with the land or sell it to others.

8) With this information the file may be returned to R.F.D w.r.t their noting at para 5 above.

A & T 22/9 M. VENKATAGIRIRAJU, Under Secy., Rev Dept.

20/9 22/9

9) The draft G.O may please be approved

Ags 24/9

24/9

25369 19 SEP 1958 B REVENUE DEPARTMENT

19/9

19 SEP 1958 REVENUE BRANCH.

OFFICE OF THE MINISTER FOR AGRICULTURE No. P-333 30 SEP 1958 BANGALORE

MYSORE GOVERNMENT SECRETARIAT NO..... 24 SEP 1958 FOREST BRANCH

FOREST 5 OCT 1958 7035 GOVERNMENT OF MYSORE

WD 01774 GPD PZS 300/60 28-10-57

Letter

AFD 50 DFTS

(9)

To

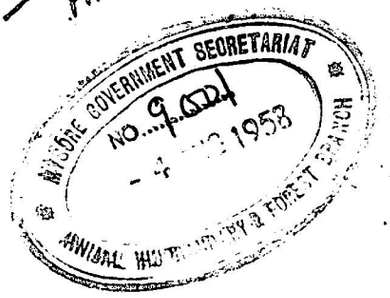
The Secretary to Government,
Agriculture and Forests Departments,
Mysore State, Bangalore.

No.S 105/VI/323 Karwar, 22-7-1958.

Subject: Lands: Kanara
Village Gaothana for Harijans
Disforestment of F.S.No.25 of
Avarguppa village in Siddapur taluka.

In submitting herewith the correspondence ending with endorsement No.TR 550 dated 5/9-7-1958 from the Assistant Commissioner, Sirsi Division, I have to state as follows:-

Sr 87
AM 6/8.




The residents of Avarguppa village have applied for providing them with house sites in F.S. No.25 of Avarguppa village. The Tahsildar of Siddapur has submitted proposals for disforestment of 7-34-0 acres land out of F.S.No.25 of Avarguppa village for laying out of 35 plots of 5 gunthas each for being granted to the applicants(vide Tahsildar's endorsement No.TRA 5820 of 8-1-1957, page 93).

During enquiry, it is also reported that there are no suitable waste lands available in the village for the purpose and that the Government waste lands in the village are also reported to be situated about 1½ miles away from the road side (vide report dated 2/5-9-1955 from the Divisional Forest Officer, Working Plan, Belgaum, at page 61). The Conservator of Forests, Belgaum Circle, has no objection to the disforestment of the area in question (vide Conservator's endorsement No.22/217/9985 of 1955-56 dated 27-9/1-10-1955, page 63).

The Medical Officer of Health, E.D., Kanara,

P.T.O.

Sirsi, has approved the site for layout of the residential plots from the public health point of view (page 79) and he is of the opinion that plots of 5 gunthas each may be done (page 95).

The area proposed for disforestment exceeds the limit of 5 acres prescribed in Govt.Resolution, Agriculture and Forests Department No.FDM 1054 dated 20-4-1955 and as such, according to para 11(a) of G.R., A.& F.D.No.FDM 1054 dated 28-1-1955 of Bombay Government, the area cannot be ordered to be disforested by the Deputy Commissioner.

Under the circumstances, I request that Government may please be moved to accord sanction to disforest an area of 7-24-0 out of F.S.No.25 of Avarguppa village in Siddapur taluka(as shown in the sketches at pages 67-71 of the papers) for the purpose of layout of residential plots of 5 gunthas each for being granted to Harijans residents of Avarguppa village, subject to the following terms and conditions:-

1. The tenure shall be new and impartible.
2. The grantees shall pay occupancy price at Rs.2-8-0 per plot of 5 gunthas each (as estimated by the panchas at page 19).
3. The grantees shall erect their residential houses within 2 years from the date of grant in conformity with the building rules in force.
4. The grantees shall pay the prescribed measurement fees.
5. The grantees shall pay the non-agricultural assessment to be fixed by the Assistant Commissioner under the provisions of Land Revenue Rules.
6. The grantees shall execute the kabulayat in form 'H' appended to Land Revenue Rules embodying the above mentioned additional conditions.
7. The grant shall be liable for cancellation for breach of any of the above conditions.

25 JUL 1958

o.c.signed
by Dy.Commr.
(D.C.absent
from H.Qrs.)

( B.G.Kaujalgi ) P.A.to
Deputy Commissioner,Kanara.

Submitted through the Divisional Commissioner,Belgaum.

286.

(6)

( Below Deputy Commissioner Kanara's letter No.S.105/VI/323 dated 22-7-1958 and the papers of the case received therewith ).

******

No.GB/FCRSR-191.
Belgaum, 31st July 1958.

Submitted to Government in the Agriculture and Forests Department, Bangalore.

2. In the circumstances stated by the Deputy Commissioner sanction may kindly be accorded to the disforestment of an area of 7 A - 24 G out of F.S.No. 25 of Avarguppa village in Siddapur Taluka for the purpose of laying out plots of 5 gunthas each for being granted to the Harijan residents of the village for residential purposes on the terms and conditions as proposed by the Deputy Commissioner in his above letter.

3. The papers of the case may be returned to the Deputy Commissioner, direct when done with.

for Divisional Commissioner,
Belgaum.
31/7

o.c. signed by )
the Divl.Commr.)

nss:

M. G. S. App. F VI—G. 2]

(7)

SUBJECT.....

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.....

*Diary No. of letter replied to*.....

Mysore Government Secretariat

( )

*the* 195 .

Date of issue.....6-1-58.....195 8.

Signed by.....

* Plcs the file

May this be—

(i) printed ?
(ii) treated as a Standing Order ?
(iii) published in the Gazette, English Part ?
(iv) translated ?
(v) placed at the disposal of the Press ?
(vi) published in the Gazette, Kannada Part ?

Section

Serial No.

File No

*Proceedings of the Government of Mysore.*

Read— Letter No. S.165/VI/323, dated 22/7/58 from the Dy Comm Kanara recommending disforestment of an area of 7-24 out of R.S No 25 of Aregujpa in Siddapur Tal. for being assigned for Gaothan purpose

Read :- Endt No GA/FOR SR-191 dated 31-7-58, from the Dist Comm Belgaum recommending the proposal of the Dy Comm.

Read :- Govt No. 22/217/9905, dated 27-9-58, from the Dist Comm Belgaum agreeing to the disforestment of the area.

Order thereon.— No. ARD 41 PLD 58 dt 8-10-58

Govt is pleased to order that an area of 7-24 out of R.S No 25 of Aregujpa, in Siddapur Taluk, should be disforested and surrendered to the RD being assigned to the Harijans for the purpose of extension of for Windmill purposes Village Gaothana for Harijans subject to the following conditions

(i) The tenure should be new and impartible.

(ii) The grantees shall pay occupancy price at Rs 2-8-0 per plot of 5 Gs each.

(iii) The grantees shall erect their residential houses within two years from the date of grant in conformity with the existing rules in force.

(iv) The grantees shall pay the prescribed measurement fees.

(v) The grantees shall pay the non-agricultural assessment to be fixed by the Asst Comm under the provisions of Land Rev Rules.

(vi) The grantees shall execute the Kabulayat in Form 'H' appended to Land Rev Rules embodying these additional conditions

(vii) The grantees shall preserve the sandalwood trees in the areas till they are disposed of by the Forest Deptt.

(viii) The grant shall be liable for cancellation for breach of any of the above conditions.

List of Enclosures.

2) The C.C.F is requested to hand over the possession of the area to the RO after the disposal of the forest produce if any in the area. He is also requested to submit Dept'l notification reg disforestment of the area as early as possible.

Copied by

Examined by

By Order

S/ D.S. Asstt Secy.

WD 04862—GPB—20,000—12-2-54

To The CC F. Bijapur

1. To be given in the working plan in C&F circ.

13. To be left in final words (Should we do?)

3) The Dc Kanara (with case)

4) The Comm Fo. Bel

5) Copy to RR Weekly Gazette Circular

(9)

1. Letter A.c.c.136/51/325 dated 22/7/55 from the Deputy Commissioner, Kanara proposing disforestment of an area 7 acres and 24 guntas out of P.F.No.25 of Avarguppa in Siddapur Taluk for being assigned for Grothana purpose.

2. Endorsement No.CB/FOR.DE.101 dated 31-7-55 from the Divisional Commissioner, Belgaum recommending the proposal of the Deputy Commissioner.

3. Endorsement No.22/217/3365 dated 27-9-55 from the Conservator of Forests, Belgaum agreeing to the disforestment of the area.

Order No.FD 41 FLO 55
Bangalore, the 8 October, 1955
Ashwayuja 16 Saka Era 1877

Government is pleased to order that an area of 7 acres and 24 guntas out of P.F.No.25 of Avarguppa in Siddapur Taluka, should be disforested and surrendered to the Revenue Department for being assigned to the Harijans for residential purposes subject to the following conditions:-

(i) The tenure should be new and impartible.

(ii) The grantees shall pay occupancy price at Rs.2-8-0 per plot of 8 guntas each.

(iii) The grantees shall erect their residential houses within two years from the date of grant, in conformity with the building rules in force.

(iv) The grantees shall pay the prescribed measurement fees.

(v) The grantees shall pay the non-agricultural assessment to be fixed by the Assistant Commissioner under the provisions of Land Revenue Rules.

(vi) The grantees shall execute the Kabulayat in form 'H' appended to Land Revenue Rules embodying these additional conditions.

(vii) The grantees shall preserve the sandalwood trees in the area till they are disposed of by the Forest Department.

(viii) The grant shall be liable for cancellation for breach of any of the above conditions.

2. The Chief Conservator of Forests is requested to hand over the possession of the area to the Revenue Department after the disposal of the forest produce if any in the area. He is also requested to submit to Government draft notification regarding disforestment of the area as early as possible.

By Order and in the name of the Governor of Mysore,

(S.S. Mingaraj Urs)
Deputy Secretary to Government,
Agriculture & Forest Department.

To

The Chief Conservator of Forests in Mysore, Bangalore.
The Divisional Commissioner, Belgaum.
The Deputy Commissioner, Kanara (with case papers)
The Conservator of Forests, Belgaum.
Copy to Revenue Department.
Weekly Gazette (4 copies)

A. To be printed in monthly proceedings in extenso.

B. To be kept in personal records.

Fen.6/10/55.